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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,406	01/11/2002	Travis Parry	10007328-1	8921

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

GARCIA, GABRIEL I

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 01/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,406

Applicant(s)

PARRY, TRAVIS

Examiner

Gabriel I. Garcia

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Part III DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

1. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Kageyama et al. (5,625,757)

With regard to claim 1, Kageyama et teaches a method of selecting a printer from a plurality of printers to fulfill a print job of a user (see figs.1-4), the method comprising: receiving a print request for the print job from the user (or client, e.g. figs. 1 and 4) at one of the printers; distributing the print request for the print job from the one of the printers to at least another of the printers associated with the one of the printers (e.g. figs. 1-4, and claim 3, the printers are associated as being part of the same network as shown on fig. 1); determining if the at least another of the printers has a printing capability (or adequate) to fulfill the print job, including comparing the print request for

the print job with the printing capability of the at least another of the printers (see figs. 1-4, and claims 3); and submitting a print offer to the user from the at least another of the printers if the at least another of the printers has the printing capability to fulfill the print job (e.g. figs. 1-4 and claim 3).

With regard to claim 2, Kageyama et al. teaches linking the plurality of printers via a communication network (see fig. 1 and col. 4, lines 22-34), wherein distributing the print request for the print job includes distributing the print request for the print job to the at least another of the printers via the communication network (e.g. fig. 1 and claim 3).

With regard to claim 3, Kageyama et al. further teaches distributing the print request for the print job to at least a further one of the printers associated with the at least another of the printers associated with the one of the printers (figs. 1-4 and claim 3).

With regard to claims 4-10, the limitations of claims 4-10 are covered by the limitations of claims 1-3 above.

With regard to claim 11, Kageyama et al. further teaches presenting to the user a user interface including at least one input field representing at least one option for the print job, wherein receiving the print request for the print job includes receiving at least one attribute for the print job as specified with the at least one input field of the user interface (e.g. claim 3 and fig. 7a).

With regard to claim 12, Kageyama et al. further teaches receiving the print request for the print job includes specifying at least one of a number of copies, a print medium, a printing quality option, a printing layout, a color printing option, a finishing option, a printer location, a printing priority, an archive option, and a price for

the print job (e.g. see setting unit 7132).

With regard to claims 13-16, the limitations of claims 13-16 are covered by the limitations of claims 1,3,7 and 9 above.

With regard to claim 17, Kageyama et al teaches a system for selecting a printer from a plurality of printers to fulfill a print job of a user (e.g. figs. 1-4) , the system comprising: a first controller(14) associated with a first printer (e.g. any printer of fig. 1)) of the plurality of printers (see fig. 1) and adapted to receive a print request for the print job from the user (e.g. client 4a) and distribute the print request for the print job from the first printer to to at least a second printer (e.g. any printer of fig. 1 and claim 3) of the plurality of printers (see fig. 1), the second printer being associated with the first printer (e.g. both printers are connected to the network as depicted in fig. 1); and a second controller (15 or 16) associated with the second printer (e.g. any printer of fig. 1) of the plurality of printers and adapted to receive the print request for the print job from the first printer and compare the print request for the print job with a printing capability (e.g. adequate) of the second printer to determine if the second printer has the printing capability to fulfill the print job, wherein the second controller is adapted to submit a print offer to the user for the second printer to print the print job if the second printer has the printing capability to fulfill the print job (see figs. 1-4 and claim 3).

With regard to claims 18-19, Kageyama et al teaches the second controller (15 or 16) associated with the second printer is adapted to further distribute the print request for the print job to at least a third printer (e.g. any printer of fig. 1) of the plurality of printers, the third printer being associated with the second printer, and further

Art Unit: 2624

comprising: a third controller (15 or 16) associated with the third printer of the plurality of printers and adapted to receive the print request for the print job from the second printer and compare the print request for the print job with a printing capability of the third printer to determine if the third printer has the printing capability to fulfill the print job (see figs. 1-4 and claim 3).

With regard to claims 20-29, the limitations of claims 20-29 are covered by the limitations of claims 1-19 above.

Conclusion

2. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2624

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kishida (5,995,722) teaches an image processing apparatus for forwarding a print job from one printer to another printer.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is (571) 272-7434. The Examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The Central FAX phone number for this group is 571-273-8300.

CENTRALIZED DELIVERY POLICY: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number.


Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600.

Application/Control Number: 10/044,406

Page 7

Art Unit: 2624

Gabriel I. Garcia
Primary Examiner
January 7, 2007

A handwritten signature in black ink, appearing to read "Gabriel Garcia", with a stylized, cursive script.

GABRIEL GARCIA
PRIMARY EXAMINER